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In reply to Office Action mailed March 28, 2005

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REMARKS

This is in response to the Office Action mailed on March 28, 2005. Claims 1-18 were pending in the application, and were rejected. With this response, none of the claims are amended and no new claims are added or canceled.

Claims 1-18 were rejected under 35 U.S.C. 103(a) as being unpatentable over Grewal in view of Nordstrom. Applicant respectfully submits that the prior art of record does not show or suggest all of the features of the claims and particularly points out a few examples below.

The Office action states that "Grewal doesn't teach . . . verifying that the various messages do not change in response to a change of another message." Rather, the Office Action goes on to states that "[i]t would have been obvious to one of ordinary skill in the art to modify the structure as disclosed by Grewal by making sure that changes to one message do not change another message to insure that incorrect messages are not sent."

Applicant respectfully submits that the Office Action has misinterpreted the plain language in the claims. Specifically, the claim sets forth, among other things, **"each of the multiple logical units of work manipulates at least one of the group of business objects that is common to each of the multiple logical units of work, including the steps of creating a copy of the common business object for each of the logical units of work such that the copy of the common business object for each of the logical units of work is a separate instance of the common business object, and verifying that a change to one instance of the common business object does not change the other copies of the common business object"** (emphasis supplied). The claims distinguish between a "message" and a "common business object," although the Office Action incorrectly concludes that they are the same limitation. A reading of elements (a) and (e) in the claims clearly distinguishes the two limitations and the two separate limitations are not to be read as the same feature under any reasonable interpretation of the claim.

Grewal does not teach or suggest the features of "a business object" or "a common business object." Also, there is no feature in Grewal that meets or suggests the limitation of "(c) sending the single network message to the group of business objects necessary for the logical unit of work." These feature are also missing from Nordstrom and the prior art of record. Because these features are missing from or not suggested in the prior art references separately, they cannot be found any proposed combination of the prior art of record.

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Applicant further submits that there is no suggestion in the prior art to modify Grewal as indicated in the Office Action. Specifically, Grewal deals with increasing processing speed to enable the system to handle massive volumes of messages to avoid congestion ("For example, in a configuration with 6 FEs and 4 CPs, at a traffic arrival rate of 300 queries per second, congestion is experienced, and in practice was observed, about every 3 to 5 minutes."). Adding the step of verifying would decrease the overall processing speed of the balancing of the load, which could lead to the congestion of the prior art. Still further, the queued messages are balanced in Grewal, not changed. There would be little need to verify that other message are unchanged in response to one change, because there is no one change that could affect the other messages.

The Office Action also states that "Grewal doesn't . . . teach batching the files into logically related requests so as to send a single network message with a parent batch and a dependent batch." Rather, the Office Action goes on to state that "Nordstrom discloses an interrupt and message batching method (title), that would inherently have a parent batch and a dependent batch."

Applicant respectfully points out that Nordstrom does not teach or suggest the features of the claims. Specifically, the claims set forth, among other things, that "batching logically related requests for reducing network traffic, including the steps of managing a group of business objects necessary for a transaction in a logical unit of work, and grouping the logically related requests received from the logical unit of work into a single network message, wherein the logically related requests include at least a dependent batched request and a parent batched request."

Nordstrom does not teach at least several features of these claims. The batching taught in Nordstrom does not show or suggest "managing a group of business objects." As discussed above, the Office Action errs in determining that the message and the group of business objects are the same feature. There is nothing in the references to suggest the feature of a group of business objects distinguished from a message. Further, Nordstrom does not show or suggest logically relating a batch of a dependent request with the parent request. There is no feature that corresponds with this one.

Accordingly, for at least the reasons above, the combination of Grewal and Nordstrom as in the Office Action does not show or suggest all of the features of the claims, and therefore must be missing from any proposed combination. For at least these reasons, Applicant respectfully submits that the present claims are patentably distinguishable from the prior art of record.

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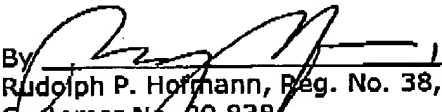
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If for some reason (not within contemplation at this time) another Official Action is required, it is respectfully requested that it be provided in non-final Office Action because no amendments were made for purposes of overcoming any prior art rejections. It is respectfully noted that any new or different rationale for the rejection would be considered a new ground of rejection, which would necessitate a non-final opportunity to respond. For example, it is urged that any of: (i) changing prior art relied on, (ii) changing sections referred to in the prior art, or (iii) changing the rationale for the motivation for a modification/combination would necessitate a non-final opportunity to respond. See MPEP 706.07(a): "a second or any subsequent action on the merits shall be final, **except** where the examiner introduces a new ground of rejection that is neither necessitated by applicant's amendment of the claims nor based on information submitted in an information disclosure statement filed during the period set forth in 37 CFR 1.97(c) with the fee set forth in 37 CFR 1.17(p)." (emphasis added); see also MPEP 706.07(a): "a second or any subsequent action on the merits ... will not be made final if it includes a rejection, on newly cited art, ... of any claim not amended by applicant ... in spite of the fact that other claims may have been amended to require newly cited art.").

Applicant submits that all pending claims are allowable and respectfully requests that a Notice of Allowance be issued in this case. In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at (612) 607-7340.

If any fees are due in connection with the filing of this paper, then the Commissioner is authorized to charge such fees including fees for any extension of time, to Deposit Account No. 50-1901 (Reference 60021-327501).

Respectfully submitted,

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